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DE RUEHNM #0231/01 0560851
ZNR UUUUU ZZH
P 250851Z FEB 08
FM AMEMBASSY NIAMEY
TO SECSTATE WASHDC PRIORITY 4130

UNCLAS NIAMEY 000231

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E.O. 12958: N/A
TAGS: [ELAB](#) [PHUM](#) [ETRD](#) [SOCI](#) [USAID](#) [PREL](#) [NG](#)
SUBJECT: NIGER GSP PETITION: INTERIM DEMARCHE

REF: A. (A) STATE 10106 (B) 07 NIAMEY 1427 (C) 07 NIAMEY
1368
[1](#)B. (D) 07 NIAMEY 1239 (E) 07 NIAMEY 727

Demarche delivered

[1](#)1. (SBU) DCM on February 20 made ref A demarche with Labor Ministry Secretary General Assane Harouna, National Commission against Forced Labor and Discrimination director Issa Dan Azoumi and the head of the Labor Ministry's child labor division, Dounama Abdou. They noted that the slavery study was in progress; a team was doing research outside of Niamey February 12 -26. There were actually two child labor studies being conducted, one by the National Statistics Institute and one by the National Commission on Human Rights and Fundamental Liberties (CNDHLF) National Commission on Forced Labor and Discrimination. The Labor Ministry officials said they would provide details on relevant activities in writing.

[1](#)2. (SBU) DCM on February 13 made ref A demarche with Justice Ministry Secretary General Maazou Adamou Seydou. Seydou expressed strong interest in the issues raised, but said that most of those issues (e.g. forced and child labor) fall under the purview of the Labor Ministry. The exception was trafficking in persons (TIP), for which Justice had the lead. He reviewed recent efforts to combat trafficking in persons, notably a December 2007 program held in conjunction with the UN Office on Crime and Drugs (UNODC). The program trained 15 magistrates, gendarmes and police so that they could in turn train their counterparts on combating trafficking and taking care of victims of trafficking. He said the draft TIP law was undergoing final review in the Prime Minister's office before being submitted to the Council of Ministers for approval. Seydou hoped that the Council of Ministers would approve the law in time for it to be considered during the next session of the National Assembly, which begins in March.

[1](#)3. (SBU) Econoff on February 13 made ref A demarche with the Director for the Protection of Children in the Ministry for the Promotion of Women and the Protection of Children, Souleymane Issoufou. Issoufou noted that Niger has been working hard to implement procedures to eliminate child labor and child trafficking in Niger. He reminded Econoff that Niger is a poor country where some forms of child labor unfortunately do occur, but where the worst forms of child labor and child trafficking are rare. In reviewing ref A, suggested complementary steps he agreed that it was important to raise public awareness about practices, penalties, and laws to combat child labor and child trafficking. To that end, he said that the Ministry is trying to use public awareness to reduce the number of children who are brought to the capital under the tutelage of marabouts for the purpose of begging. Issoufou noted that he and the Minister had met with the USDOL team that visited in November and had provided all of the materials they had requested. He stated that he

would be happy to provide further assistance as needed. Issoufou agreed that it was important for research to distinguish between various types of slavery; however, he noted that the study cited in ref A was not being carried out by his Ministry. With regard to trafficking in children, Issoufou stated that Niger has the strictest adoption laws in Africa in order to protect children and to avoid the kind of exploitation that happened in the recent "Arche de Zoe" affair in Chad. Issoufou reminded Econoff (who is also Conoff) that Niger recently began requiring all children who travel abroad in the company of an adult who is not their parent to have authorization from the police department. He said that the procedure to get this authorization is rigorous and requires a thorough investigation of the parents and of any adults accompanying the child. Issoufou made it clear that, although work in the area of protecting children remains, he feels that there has been much progress.

Summary of Recent Labor Developments

¶4. (U) In January 2008, the Ministry of Labor organized a capacity-building training session on ILO Conventions 138 and 182 for labor inspectors and judges. The training was conducted by ILO experts.

¶5. (U) In December, UNODC supported the Ministry of Justice in a train-the-trainer session for security forces and judges on trafficking in persons. The training focused on victim protection, witness protection, special investigation techniques, and international cooperation. The Ministry of Justice has approved the integration of the module for this training in the curricula of law enforcement schools, ie. the FNIS (a paramilitary force under the Interior Ministry), Police, Gendarmerie, and Customs.

¶6. (U) In November, the Ministry of Justice transmitted the draft TIP law to the cabinet council under the Prime Minister for review before its submission to the Council of Ministers and to the National Assembly for adoption during the upcoming session starting in March. At year's end, the draft was at the Prime Minister's office.

¶7. (U) On November 8, the National Commission on Human Rights and Fundamental Liberties (CNDHFLF) established a national coordination committee to conduct a study on forced labor, child labor and other forms of slavery practices funded by the government. The study is aimed at identifying the causes of these phenomena in order to propose appropriate solutions to eliminate them. The study will last six months. The documentation stage of the study has been completed. A field survey is under way (February 12-26). Findings will be presented in June.

¶8. (U) During the year, the Ministry of Labor has initiated a National Survey on Child Labor in Niger (ENTE), to be led by the National Statistics Institute (INS). The national survey aims to generate data on children's activities (including education and economic and non-economic activities) and create a database of both quantitative and qualitative data on child labor in Niger.

¶9. (U) During the year, a tripartite committee (government, employers and labor unions) held several meetings to review the 1967 labor decree on the regulatory part of the Labor Code, which includes a proposed list of the worst forms of child labor. Based on the tripartite committee's work, the government will promulgate a decree that lists the worst forms of child labor.

¶10. (U) On November 3-4, Timidria held a workshop to solicit the support of religious leaders regarding a campaign to sensitize the population on the issue of slavery and forced labor. The Government of Niger's Minister of Religious Affairs remarks at the workshop emphasized the government's desire to end slavery (ref C).

¶11. (U) On October 27-28, the anti-slavery NGO Timidria organized a national workshop on slavery to educate 60 civil society participants on strategies to eradicate slavery and discrimination in Niger. The workshop focused on the effective implementation of the 2003 anti-slavery law and the civil society's contribution in the fight against slavery. The Secretary General of the Ministry of Justice, representing the government, made a keynote address in which he reiterated the GON's commitment to international basic human rights and its resolve to combat slavery. He reminded the audience that the government had funded a study to determine the extent of forced labor, child labor and discrimination in the country.

¶12. (U) On October 3-4, the Ministry of Labor, in conjunction with the ILO/IPEC, held a national workshop to design and establish a child labor monitoring system (SOSTEN). The workshop was aimed at: defining a conceptual framework for the child labor monitoring system and proposing an application for Niger; presenting SOSTEN experiences in the sub-region; identifying possible mechanisms for the rehabilitation of at-risk children or victims of child labor; and establishing a SOSTEN database and training its users.

13 (U) On September 27-28, the Ministry of Labor organized a workshop to: approve the conclusions and recommendations of an institutional study on the National Steering Committee on Child Labor (CDN) and the MOL Child Labor Division; approve the guidelines for the implementation and the recommendations of the sub-regional workshop on National Child Labor Divisions Capacity Building held in Ouagadougou, Burkina Faso on June 26-29, 2007; review, amend and approve an action plan to strengthen the technical and operational capacities of the National Child Labor Division; create regional steering committees on child labor; and approve the National Steering Committee's action plan.

¶14. (U) In May 2007, under the US DOL program on the prevention and elimination of child labor in mining in West Africa, the ILO/IPEC funded two public education/sensitization projects. The first project aims at combating child labor in traditional gold mines through literacy and sensitization for 100 women miners, and the socio-professional reinsertion of 100 girls between 14 and 17 years old at the Komabangou gold mine. AFETEN (Action en Faveur de l'Elimination du Travail des Enfants au Niger), a local NGO, is implementing the project. The second project supports the fight against child labor through sensitization, sports and civic education for 1,118 children aged 7 to 17 at the Komabangou gold mining site. The project is being implemented by Action-Education, a local NGO. The National Steering Committee on Child Labor (CDN) led by the Ministry of Labor approved both projects on May 9.

¶15. (U) In May 2007, ILO/IPEC launched, under the US DOL program, two vocational training programs for children. The first project aims at rescuing 680 children and supporting 100 family members of child miners at the M,Banga mining site. ALTEN (Association pour la Lutte contre le Travail des Enfants au Niger), a local NGO, is implementing the project. The second project will work toward combating child labor by mobilizing community organization to help with the socio-professional training of 100 child workers at M,Banga gold mining site. This project is being implemented by EPAD (Ecole-Parrainage et Action de Developpement). The National Committee on Child Labor (CDN) led by the Ministry of Labor approved both projects on May 9.

¶16. (U) UNODC will conduct a research on TIP in Niger in order to assess the judicial system's response to TIP cases. A case study will be conducted in six regions (Agadez, Dosso, Maradi, Niamey, Tillabery, and Zinder) and will focus on a) domestic labor; b) Libya and Algeria migration patterns associated with TIP; and, c) international arranged marriages; and d) drug smuggling. UNODC will use the US-funded ANDDH study on TIP.

Comment

¶17. (U) As outlined above, the Nigererien government is working to enhance workers' rights, particularly regarding forced and child labor. Its resources are, however, severely limited, and many of the problems arise from longstanding traditional practices that cannot be easily reversed. Some GON actions were delayed in 2007 by the rebellion in the north that began in February, cabinet reshuffles in March and June, and a major reshuffle within the judiciary in September.

¶18. (U) Post's ability to engage the GON on labor issues and to report on labor developments was severely degraded with the loss of its political officer position in May 2007. Without a political officer, post can prepare required reports such as the Human Rights Report and the Trafficking in Persons report, but it will be hard pressed to provide even occasional spot reports on labor developments, particularly outside of Niamey. It will not be able to provide the kinds of labor advocacy or in-depth reporting on issues such as slavery, forced labor and child labor that it has in the past.

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